

01-19-05

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/767,352	01/30/2004	Barry J. Maurer	9022-41

CONFIRMATION NO. 4884

20792  
 MYERS BIGEL SIBLEY & SAJOVEC  
 PO BOX 37428  
 RALEIGH, NC 27627

## FORMALITIES LETTER



\*OC000000012950789\*

Date Mailed: 06/15/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

01/24/2005 DEMAND01 00000015 10767352

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130.00 CD

*A copy of this notice MUST be returned with the reply.*

*MDuong*

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Attorney Docket No. 9022-41

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: **Maurer et al.**

Application Serial No.: **10/767,352**

Filed: **January 30, 2004**

For: ***Oral Compositions of Fenretinide Having Increased Bioavailability and Methods of Using the Same***

Confirmation No.: **4884**

Group Art Unit: **1614**

Examiner: **Unknown**

Date: January 18, 2005

MAIL STOP MISSING PARTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Sir:

In response to the Notice to File Missing Parts of NonProvisional Application Filed Under 37 CFR 1.53(b), mailed June 15, 2004 regarding the above-referenced patent application, enclosed is an executed Declaration and Power of Attorney document (8 pages) for this application.

A copy of the Notice and a check in the amount of \$2290.00 for the surcharge under 37 C.F.R. § 1.16(e) (\$130.00) as well as the fee for five month petition (\$2160.00) is also enclosed. This amount is believed to be correct. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

If any extension of time for the accompanying response or submission is required, Applicant requests that this be considered a petition therefor.

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Respectfully submitted,

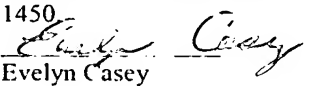
  
Kenneth D. Sibley  
Registration No. 31,665

CERTIFICATE OF EXPRESS MAILING

Express Mail Label No.: **EV 472511472 US**

Date of Deposit: **1/18/2005**

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Evelyn Casey